

Wetlands Bureau Decision Report

Review by
W/S
1/23/12

Decisions Taken
01/16/2012 to 01/22/2012

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10, II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2005-02242 GUAY, ALBERT & MARY
BERLIN Unnamed Wetland

Requested Action:

"Request permit time extension"

Inspection Date: 07/11/2006 by Kirsten Pulkkinen

APPROVE TIME EXTENSION:

Dredge and fill approximately 5,875 square feet of palustrine forested/scrub-shrub wetlands and retain approximately 400 linear feet of intermittent stream impact to construct a \pm 380,000 square foot tractor-trailer commercial development and associated access ways and parking facilities. Restore approximately 11,680 square feet of forested/scrub-shrub wetlands and establish a 25-foot vegetated buffer along Jericho Brook.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated April 2006, and revised through December 15, 2006, as received by the Department on January 11, 2007.
2. This permit is contingent on approval by the DES Site Specific Program.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be properly rip rapped.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

RESTORATION:

14. This permit is contingent upon the restoration of 11,680 square feet of wetlands in accordance with plans received January 11, 2007.
15. This permit is contingent upon the establishment of a 25-foot vegetated buffer along Jericho Brook in accordance with plans received January 11, 2007, and Buffer Enhancement Sequence and Tasks received September 12, 2006.
16. The schedule for construction of the restoration area and vegetated buffer shall occur prior to or coincide with site construction unless otherwise considered and authorized by the DES Wetlands Bureau.
17. The permittee shall notify DES in writing of their intention to commence construction no less than 5 business days prior to construction.
18. The permittee shall designate a New Hampshire Certified Wetland Scientist who will be responsible for monitoring and ensuring that the restoration area and Jericho Brook vegetated buffer are constructed in accordance with the restoration and buffer enhancement plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES

Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

19. The restoration and vegetated buffer area shall be properly constructed, landscaped, monitored, and managed in accordance with approved restoration and final buffer enhancement plans.
20. Wetland restoration area shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
21. All material removed during work activities shall be removed down to the level of the original hydric soils.
22. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration or vegetated buffer site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
23. The restoration area shall be regraded to original contours following completion of work.
24. Native wetland species appropriate to the area shall be planted.
25. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications and shall contain no reed canary grass (*Phalaris arundinacea*). The receipt and contents of the wetland mix shall be supplied to the DES Wetlands Bureau within 10 days of application.
26. Mulch used within the wetland restoration and vegetated buffer areas shall be natural straw or equivalent.
27. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
28. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
29. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands DES within 60 days of the completion of construction.
30. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration and vegetated buffer area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second year following the completion of the restoration site.
31. The permittee shall delineate the wetlands within the restoration site; document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least two growing seasons.

With Findings:

Wetlands -

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2011-01576

OSSIPEE REALTY CORP

FREEDOM Ossipee Lake

Requested Action:

Construct two sections of retaining wall, one measuring 76 linear feet the other measuring 111 linear feet; dredge 313 cubic yards of material from 6,482 sq ft of lake bed; and, install 8 wall-mounted personal watercraft lifts on an average of 615 ft of frontage on Ossipee Lake, in Freedom.

Conservation Commission/Staff Comments:

No Comments from Con Com by August 09, 2011

APPROVE PERMIT:

Construct two sections of retaining wall, one measuring 76 linear feet the other measuring 111 linear feet; dredge 313 cubic yards of material from 6,482 sq ft of lake bed; and, install 8 wall-mounted personal watercraft lifts on an average of 615 ft of frontage on Ossipee Lake, in Freedom.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co revision dated August 5, 2011, as received by the NH Department of Environmental Services (DES) on August 8, 2011 and email from Dave Aiton recieved on August 10, 2011.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. No activity shall alter the location of the reference line, Elevation 407.25.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be done during drawdown.
7. Work shall be done during low flow.
8. No equipment shall be operated on the lakebed or lakeward of full lake elevation of 407.25.
9. Dredging shall not be approved more than once every six years, if dredge is required more frequently, the proposed dredge depth shall be deemed unmaintainable and additional dredging shall not be approved.
10. The type of personal watercraft lift that may be used shall be limited to those models which are installed, and which store the watercraft, outside the the limits of the waterbody.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Ossipee.

-Send to Governor and Executive Council-

**2011-03112 TOWN OF HENNIKER
HENNIKER Chase Brook**

Requested Action:

Temporarily impact 532 square feet of Chase Brook at Temple Road to replace a failed 7-foot x 7-foot x 16-foot wide granite block opened bottom box culvert with a 28-foot x 5.7-foot x 18-foot bridge.

APPROVE PERMIT:

Temporarily impact 532 square feet of Chase Brook at Temple Road to replace a failed 7-foot x 7-foot x 16-foot wide granite block opened bottom box culvert with a 28-foot x 5.7-foot x 18-foot bridge.

With Conditions:

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC, dated 12/2/2011, and revised through 12/7/11, as received by the Department on December 12, 2011.
2. Work shall be done during low flow conditions.
3. In the event there is water diversion is required at the time of construction, a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert, between wingwalls and beyond. Any new materials used must be similar to the natural stream substrate and shall not include angular riprap.
17. The recreated stream channel bed must maintain the natural and a consistent streambed elevation and not impede stream flow.
18. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
19. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
20. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
21. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
22. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
23. Stream restoration shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create a healthy riverine system that is replicated in a manner satisfactory to the DES Wetlands Bureau. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing stream sinuosity, changing the slope of the stream, and changing the hydrologic regime.
24. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
25. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
26. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The current road use will not change.
3. In accordance with Env-Wt 904.09, the Applicant has requested an Alternative Design.
4. The proposed span will pass the 100-year storm, restore the stream bed and bridge abutments will span 1.2 times the bankfull width.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) [and (c) for tidal projects], (EDIT as needed), Requirements for Application Evaluation, has been considered in the design of the project.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2006-01231 CERSOSIMO INDUSTRIES INC
NEWPORT Unnamed Wetland

Requested Action:

"Request permit time extension"

APPROVE TIME EXTENSION:

Dredge and fill 11,468 sq. ft. of very poorly drained forested wetlands to construct a fire pond for proposed 9-lot subdivision.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs, "Proposed Fire Pond" plan revision dated November 11, 2006, as received by the Department on December 18, 2006 and plans by SVE Associates sheet 1 and 2 of 2, revision dated November 29, 2006, as received by the Department on December 18, 2006 and plan sheet 3 of 10, dated October 10, 2005, plan sheet 4 of 10, revision dated April 6, 2006, plan sheet 6 of 10, revision dated March 7, 2006, plan sheet 7, and 8 of 10, dated October 10, 2005, and plan sheet 10 of 10 revision dated April 6, 2006, as received by the Department on May 18, 2006.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting

and pinning on slopes steeper than 3:1.

9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

Wetlands -

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2006-02833 MAGARIAN DEVELOPMENT LLC
PELHAM Unnamed Wetland

Requested Action:

"Request permit time extension"

APPROVE TIME EXTENSION:

Dredge and fill 6,800 sq. ft. of forested wetlands for construction of a 40-unit senior housing development, identified as "Virginia Woods" located on an approximately 26 acre parcel. Work in wetlands consists of construction of two access road crossings and one emergency access road crossing. Wetland Crossing #1 consists of 3,500 sq. ft. of wetlands impact for the installation of twin 24 in x 48 ft. HDPP culverts, associated headwalls, grading and outlet protection. Wetland Crossing #2 consists 450 sq. ft. of wetlands impact for roadway construction, grading and retaining wall construction. Wetland Crossing #3 (emergency access) consists of 2,850 sq. ft. of wetlands impact for installation a 24 in. x 26 ft. HDPP culvert, roadway fill, and associated headwalls, grading and outlet protection.

With Conditions:

1. All work shall be in accordance with plans by Cuoco & Cormier Engineering Associates, Inc. plan sheets D&F-1 through D&F-4 revision dated May 16, 2007 and plan sheet C-19 and C-20, revision dated March 1, 2007, as received by DES on May 21, 2007.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.

3. This permit is contingent on approval by the DES Drinking Water and Groundwater Bureau.

4. This permit is contingent on approval by the DES Subsurface Systems Bureau.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

6. Work shall be done during low flow.

7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

8. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #7 of this approval.

9. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.

10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

12. Proper headwalls shall be constructed within seven days of culvert installation.

13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

Wetlands -

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2011-00433 280 SOUTH MAIN STREET LLC
WOLFEBORO Unnamed Wetland

Requested Action:

Proposal for an additional 1,693 sq. ft. of wetlands impact for commercial site development.

APPROVE AMENDMENT:

Dredge and fill 6,464 sq. ft. of wetlands (existing lawn area) for driveway upgrades and drainage improvements as part of a commercial development project.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering, Wetland Impact Plan sheets 1 and 2 of 2 dated February 18, 2011, plan sheets 2 of 23 revision date of February 28, 2011, plan sheet 14 of 23 dated January 4, 2011, as received by the NH Department of Environmental Services (DES) on May 19, 2011 and plan sheet 5 of 23 revision date of February 28, 2011 and plan sheet 6 of 23 revision date of March 7, 2011, as received by DES on June 9, 2011 and revised "Wetland Impact Plan" sheet 1 and 2 dated December 21, 2011, as received by DES on December 30, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

10. Work shall be done during low flow.

11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

13. All refueling of equipment shall occur outside of surface waters or wetlands.

14. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01217 SWAIN, JERROLD
WALPOLE Unnamed Wetland**

Requested Action:

Retain 469 square feet of palustrine forested wetland impact for driveway culvert installation and restore 2,692 square feet of palustrine forested wetland impact for fill removal and above conduit and ditch restoration.

APPROVE PERMIT:

Retain 469 square feet of palustrine forested wetland impact for driveway culvert installation and restore 2,692 square feet of palustrine forested wetland impact for fill removal and above conduit and ditch restoration.

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC, as received by DES on May 27, 2011; and construction sequence received November 17, 2011.

2. This permit is contingent upon the restoration of 2,692 square feet of wetlands (including culvert outlet grade correction) in accordance with plans by Beaver Tracks, LLC, as received by the Department on May 27, 2011; and construction sequence received November 17, 2011.

3. Restoration activities shall be completed by September 30, 2012.

4. A post-construction report with photographs documenting the status of the completed restoration areas and corrected culvert outlet shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

5. The permittee or a designee shall conduct a follow-up inspection after the first full growing season, to review the success of the restoration areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by November 1 of that year.

6. The permittee shall notify DES and the local conservation commission in writing of their intention to commence restoration no

- less than five (5) business days prior to construction.
7. Work shall be done during dry or frozen conditions.
 8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
 9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
 11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 12. Proper headwalls shall be constructed within seven days of culvert installation.
 13. Culverts shall be laid at original grade.
 14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
 15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
 16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
 17. All material removed during work activities shall be removed down to the level of the original hydric soils.
 18. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
 19. The restoration area shall be regraded to original contours following completion of work.
 20. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications and shall contain no reed canary grass (*Phalaris arundinacea*). The receipt and contents of the wetland mix shall be supplied to NHDES within ten (10) days of application.
 21. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
 22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
 23. Wetland restoration areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
 24. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands.
2. This permit is contingent upon the restoration of 2,692 square feet of wetlands (including culvert outlet grade correction) in accordance with plans by Beaver Tracks, LLC, as received by the Department on May 27, 2011; and construction sequence received November 17, 2011.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-02960 NH DEPT OF TRANSPORTATION
SEABROOK Unnamed Wetland

Requested Action:

Reconstruct and widen approximately 3,000 feet of NH Route 107 including a bridge over I-95 and a portion of the I-95 interchange ramps impacting 10,307 sq. ft. (6,768 sq. ft. temporary) of palustrine wetlands to increase roadway capacity.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Reconstruct and widen approximately 3,000 feet of NH Route 107 including a bridge over I-95 and a portion of the I-95 interchange ramps impacting 10,307 sq. ft. (6,768 sq. ft. temporary) of palustrine wetlands to increase roadway capacity. NHDOT project #15769.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design and VHB Inc. dated 6/27/11, as received by the Department on Nov. 21, 2011.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau at least 10 working days in advance of the start of construction. Those plans shall be complete and shall include details regarding the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
11. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
12. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
13. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 304.03(1), impacting less than 20,000 sq. ft. of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The project was discussed on August 17, 2011 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (NHDOT).
6. Although there was a NH Natural Heritage Bureau record, they do not expect that it will be impacted by the project.

MINIMUM IMPACT PROJECT

2011-02011 ERSKINE GREEN, JOAN
TUFTONBORO Lake Winnepesaukee

Requested Action:

Repair 212 sq feet of a 58 linear ft breakwater, repair a 4 ft x 15 ft section of cantilevered dock attached to the breakwater, reduce a 10 ft 9 in x 20 ft 3 in deck to 10 ft 9 in x 17 ft 9 inch, and retain 540 sq ft of rip rap placed on the bank on an average of 274 feet of shoreline frontage on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE RECONSIDERATION:

Repair 212 sq feet of a 58 linear ft breakwater, repair a 4 ft x 15 ft section of cantilevered dock attached to the breakwater, reduce a 10 ft 9 in x 20 ft 3 in deck to 10 ft 9 in x 17 ft 9 inch, and retain 540 sq ft of rip rap placed on the bank on an average of 274 feet of shoreline frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group revision dated December 21, 2011, as received by the NH Department of Environmental Services (DES) on December 28, 2011.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), projects that disturb less than 50 linear feet along the shoreline of a lake.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2011-02431 ENTERPRISE BANK
HOOKSETT Unnamed Wetland

Requested Action:

Impact a total of 2,875 square feet of wetlands including 1,850 square feet to install a 4' x 3' x 37.5' long box culvert for construction of a roadway crossing of a tier 1 intermittent stream; 850 square feet to install a 4' x 3' x 43' long box culvert for construction of a second roadway crossing of a tier 1 intermittent stream; and 175 square feet of temporary impact in two locations for installation of a sewer line.

APPROVE PERMIT:

Impact a total of 2,875 square feet of wetlands including 1,850 square feet to install a 4' x 3' x 37.5' long box culvert for construction of a roadway crossing of a tier 1 intermittent stream; 850 square feet to install a 4' x 3' x 43' long box culvert for construction of a second roadway crossing of a tier 1 intermittent stream; and 175 square feet of temporary impact in two locations for installation of a sewer line.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates dated 12/21/2011, as received by the NH Department of Environmental Services (DES) on 12/23/2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamps or wet meadows, and per Env-Wt 903.01(e).
2. The applicant has adequately demonstrated that this area of development is a separate property with no cumulative impact relationship to previous wetlands approval 2006-1700, Granite Heights North. Further, permit 2006-1700 for Granite Heights North was never executed.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported that no impacts were expected to the reported listed plant species as a result of this project, and NH Fish & Game Department reports that they have no further comment at this time.

2011-02617 SALINARDI, PAULINE
GOSHEN Sugar River

Requested Action:

Confirm emergency authorization issued October 14, 2011, to retrieve and repair a failed Sugar River trails bridge.

CONFIRM EMERGENCY AUTHORIZATION:

Dredge and fill approximately 100 square feet of river bank to retrieve and repair a failed Sugar River trails bridge.

With Conditions:

1. Any future work that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The bridge and abutments failed as result of Tropical Storm Irene.
3. The failed bridge deck and abutments remained near the original bridge site in the bed of the Sugar River.
4. An emergency authorization to retrieve the bridge materials from the Sugar River and repair the bridge was issued by DES Wetlands Bureau Staff on October 14, 2011.
5. The bridge repairs comply with the 303.04(y), construction or maintenance of trails, including bridges, with exception of the work in water required retrieve the failed abutments and bridge.
6. Because the in water work was required to retrieve the failed bridge materials the entirety of the project was deemed minimum by DES.
7. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2011-02641 PSNH
NEW IPSWICH Unnamed Wetland

Requested Action:

Confirm Emergency Authorization issued October 18, 2011, to temporarily impact 9,000 square feet of wetlands for swamp mat access to repair a damaged transmission structure.

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued October 18, 2011, to temporarily impact 9,000 square feet of wetlands for swamp mat access to repair a damaged transmission structure.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af), Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way.
2. The project was necessary to repair a damaged transmission structure.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on October 18, 2011.
4. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2011-02810 PORTSMOUTH, CITY OF
PORTSMOUTH Tidal Buffer Zone

Requested Action:

Impact a total of 416 sq. ft. of previously developed upland tidal buffer zone to remove three existing buildings and construct one new building within the same general footprint.

APPROVE PERMIT:

Impact a total of 416 sq. ft. of previously developed upland tidal buffer zone to remove three existing buildings and construct one new building within the same general footprint.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers, Inc. dated October 2011, as received by the NH Department of Environmental Services (DES) on November 14, 2011.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Orange or green construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line unless they major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The proposed building is needed to replace storage space loss when existing buildings are demolished.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposed building is within the same general footprint as the existing buildings that will be removed.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. NH Heritage Bureau (NHB) has determined there was a record of rare wildlife, plant, and/or natural community present within the project vicinity, but NHB does not expect the species will be impacted by the project.
5. The Portsmouth Conservation Commission did not comment on the application.
6. DES issued Shoreland Permit #2011-2817 on December 19, 2011 for work within the jurisdiction of RSA 483-B.

2011-02924 NOLLET, ELAINE
NEW CASTLE Piscataqua River/atlantic Ocean

Requested Action:

Perform restoration activities at River Road involving 4,690 sq.ft. of permanent impact and 1,500 sq.ft. temporary impact by removing invasive species. Enhance tidal flow by restoring an intermittent stream and provide a culvert extension for improved flow. The project is funded through the Aquatic Resource Mitigation Fund.

APPROVE PERMIT:

Perform restoration activities at River Road involving 4,690 sq.ft. of permanent impact and 1,500 sq.ft. temporary impact by removing invasive species. Enhance tidal flow by restoring an intermittent stream and provide a culvert extension for improved flow. The project is funded through the Aquatic Resource Mitigation Fund.

With Conditions:

1. All work shall be in accordance with plans by Rockingham County Conservation District dated 11/13/2011, as received by the NH Department of Environmental Services (DES) on 11/17/2011.
2. NH DES Wetlands Bureau Southeast Region staff and the New Castle Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. DES coastal restoration staff [Southeast Region] shall be notified in writing prior to commencement of work and upon completion of restoration activities.
6. Construction equipment shall have specialized low ground pressure tracks, which impact less than four (4) pounds per square inch when loaded, or the permittee shall utilize timber or plywood mats beneath machines when driving over wetland areas.
7. Timber or plywood mats shall be utilized in all areas of the marsh where construction equipment is required to travel or turn multiple times over the same area.
8. All weight distribution mats shall be removed from the marsh within a minimum practicable time period.
9. The permittee shall submit pre and post monitoring reports to the DES Wetlands Bureau according to the specifications stated in the Aquatic Resource Mitigation Grant Agreement, 5/23/2011.
10. Work times shall be scheduled around low tide periods to minimize impacts to marsh.
11. The Natural Heritage Bureau shall be notified prior to commencement of work to assist in the identification and handling of the Marsh Elder species.

With Findings:

1. The proposed project is deemed minimum impact per Env-Wt 303.04(i).
2. The proposed project is partially funded by the NHDES ARM Fund program.
3. The possible presence of state threatened Marsh Elder will be identified and documented and the applicant will follow guidance given by NHB as to how to avoid any harm to the species.
4. The project will provide removal of and the reduction of the spread of the invasive species, Pfragmites and provide an increase in native plants, habitat values, with an increase of functions and values of the salt marsh in the area.

FORESTRY NOTIFICATION

2012-00046 PILLSBURY, ALDEN
GRANTHAM Unnamed Stream

COMPLETE NOTIFICATION:

Grantham Tax Map 226, Lot# 14

2012-00073 JOHNSON, LEN/ANITA
MILFORD Unnamed Stream

COMPLETE NOTIFICATION:
Milford Tax Map 53, Lot# 39

2012-00074 SOUTHEAST LAND TRUST OF NEW HAMPSHIRE
NEWFIELDS Unnamed Stream

COMPLETE NOTIFICATION:
Newfields Tax Map/Kot# 211/2, 212/4,5,6 & 213/7

2012-00075 CLAREMONT BEAGLE CLUB
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:
Claremont Tax Map 194, Lot# 1

2012-00076 THOMSON, ROBB
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 7-32, Lot# 4, 4A & 4B

2012-00077 ALTARIA LLC
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 1, Lot# 8 & 9

2012-00078 RIDINGER, MICHAEL/LETTY
HANOVER Unnamed Stream

COMPLETE NOTIFICATION:
Hanover Tax Map 14, Lot# 1-1

2012-00093 HOLLINGSWORTH, TIM & PIERCE
DUBLIN Unnamed Stream

COMPLETE NOTIFICATION:
Dublin Tax Map 8, Lot# 16

2012-00094 **CHOCORUA FORESTLANDS LLC, JEFFERY COOMBS**
TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:
Tuftonboro Tax Map 20, Lot# 2

2012-00095 **HOITT, DARYL**
GILMANTON Unnamed Stream

COMPLETE NOTIFICATION:
Gilmanto Tax Map 414, Lot# 43

2012-00096 **HEYMAN, WILLIAM/MARGARET**
MARLBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Marlboro Tax Map 7, Lot# 9, 20, 21

2012-00098 **FARMINGTON, TOWN OF**
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map R51, Lot# 1

EXPEDITED MINIMUM

2011-00596 **CHIANGO, ANGELO**
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a new 576 sq ft sloped beach on approximately 100 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com did not sign application but submitted comments about constructing a sloped beach

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construct a new 576 sq ft sloped beach on approximately 100 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Findings:

1. Pursuant to RSA 482-A:3, XIV(a) (2), where the Department requests additional information to complete an application, if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
2. On May 4, 2011, a Request for More Information Letter was issued to the Applicant. The Letter clearly stated that if the information requested therein was not submitted to DES within 60 days of the letter the application would be denied.

With Findings:

1. On November 2, 2011, DES sent a letter entitled "Request For More Information" to the applicant of record. Based on DES review of the application, DES requested the applicant's response to the following outstanding issues:
 - a. DES requested a full size (28 in. x 36 in.) and set of plans for the project. In accordance with Env-Wt 501.02, the plans shall indicate the boundaries of all wetlands and surface waters, the footprint of all proposed impacts, existing and proposed topography, and the location of all proposed lot lines. Further, parties responsible for wetlands delineation shall be recorded on the plans. If the project proposes the subdivision of land, applicants must submit information in accordance with Env-Wt 304.09 related to subdivisions.
 - b. Berry Surveying & Engineering submitted the DES Standard Dredge and Fill application. Berry Surveying & Engineering must obtain written authorization from you as the owner to submit the application. DES requested the written authorization be submitted to DES.
 - c. The Conservation Commission did not sign the Minimum Impact Expedited application. If the Conservation Commission does not sign the application, then the application shall not be eligible for expedited processing and shall be reviewed as a standard application.
 - d. Pursuant to DES Wetlands Bureau Code of Administrative Rules Env-Wt 302.01(b), Env-Wt 302.03, and Env-Wt 302.04(b) respectively, applications shall demonstrate the need for the proposal, that the project represents avoidance and minimization of impacts to wetlands, and represents the least impacting alternative. Review of your proposal finds that there is currently an existing driveway to the existing dwelling that does not impact wetlands. There is no demonstrated need to relocate the driveway to the existing dwelling that proposes to impact wetlands. Further, the proposal does not avoid, minimize and is not the least impacting alternative to impacting wetlands.
2. Pursuant to RSA 482-A:3, XIV(a)(2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

GOLD DREDGE

2012-00114 MASON, ROBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

ROADWAY MAINTENANCE NOTIF

2012-00129 STEVER, DONALD
CONCORD Unnamed Stream Unnamed Wetland

COMPLETE NOTIFICATION:
Repair/replace and existing stone culvert with a 36" pipe

2012-00137 ALTON HWY DEPT, TOWN OF ALTON
ALTON Unnamed Stream

3. DES did not receive any of the 5 items requested in the May 4, 2011 Request for More Information Letter within 60 days of the letter's issuance, therefore, the application has been denied.

2011-01061 MCKALLAGAT, STEVE
PELHAM Little Island Pond

Requested Action:

Appellant request reconsideration of the Department's decision to approve the repair of an existing dock on 13 linear feet of shoreline frontage on Little Island Pond, in Pelham.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the approval of the Applicant's request to repair an existing dock by installing a 4 ft x 30 ft seasonal dock attached to a 4 ft x 5 ft concrete pad with steps on 13 linear feet of shoreline frontage on Little Island Pond, in Pelham.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10,III, Appeals, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."
2. This project is classified as a minimum impact per Rule Env-Wt 303.03(v), Maintenance, repair, and replacement in-kind of existing docking structures.

Findings of Fact

1. On November 30, 2011, the Department approved the Applicant's request to repair an existing docking structure. This approval was based on information submitted by the Applicant and the Abutters.
2. On December 30, 2011, the Department received a Reconsideration Request dated December 26, 2011. This request included letters from individuals stating the existing dock had always maintained smaller dimensions. The information submitted did not include sufficient new information such as photographs or plans supporting the claim that the previously existing dock on the frontage was smaller than the dimensions approved for repair.

Rulings in Support of Denial

1. The Appellant did not submit sufficient information indicating the existing dock maintained smaller dimensions than the dimensions indicated by the applicant. As such, the Appellant has failed to meet the requirements of RSA 482-A:10, III, in that no "new and additional evidence" has been presented and therefore, the request for reconsideration is denied.

2011-02668 CHESLEY HILL PARTNERS
ROCHESTER Unnamed Wetland

Requested Action:

Fill 1,152 sq. ft. of wetlands to construct a driveway.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Fill 1,152 sq. ft. of wetlands to construct a driveway.

COMPLETE NOTIFICATION:

Replace an existing 15" culvert in kind

PERMIT BY NOTIFICATION

2012-00005 PSNH
BRENTWOOD Unnamed Wetland

PBN IS COMPLETE:

Temporarily impact 42,120 square feet within a designated prime wetland to repair structures within an existing utility right-of-way.

2012-00063 PSNH
BRENTWOOD Unnamed Wetland

Requested Action:

Temporarily impact 17,640 square feet of palustrine scrub shrub wetland for the replacement and repair of existing structures within an existing utility right-of-way.

PBN IS COMPLETE:

Temporarily impact 17,640 square feet of palustrine scrub shrub wetland for the replacement and repair of existing structures within an existing utility right-of-way.

2012-00113 SHARP, MICHAEL/ANNE
SUNAPEE Lake Sunapee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2011-02956 ABERVAYA, ALBERT/LADONNA
GILFORD Lake Winnepesaukee

Requested Action:

Impact 4,367 sq ft for the purpose of constructing a new residential dwelling and installing stormwater controls.

APPROVE AMENDMENT:

Impact 4,367 sq ft for the purpose of constructing a new residential dwelling and installing stormwater controls.

AMENDMENT APPROVED: Amend shoreland impact permit to allow change in location of proposed structure footprints.

With Conditions:

1. All work shall be in accordance with revised plans by Stephen J. Smith and Associates, Inc., dated October 13, 2011 and received by the Department of Environmental Services ("DES") on January 18, 2012.
2. No more than 43.1% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater. 4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. The vegetation proposed to be planted within the waterfront buffer shall be monitored and, if necessary, replaced, to ensure 100% survival rate.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 36 sq ft.
4. The applicant has proposed to install stormwater controls consisting of (2) drywells that will be capable of infiltrating stormwater from the proposed driveway and the proposed residential dwelling.
5. The applicant has proposed to utilize new, pervious technologies that will be capable of infiltrating stormwater.
6. The applicant has proposed to enhance the waterfront buffer by planting additional, native vegetation.
7. The applicant has proposed to install stormwater controls, utilize pervious technologies, enhance the waterfront buffer, and attain a greater setback from the reference line, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-03036 **MANCILLA, REBECCA**
TUFTONBORO Lake Winnepesaukee

Requested Action:

Impact 7,130 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing an in-ground swimming pool and stormwater controls.

APPROVE PERMIT:

Impact 7,130 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing an in-ground swimming pool and stormwater controls.

With Conditions:

1. All work shall be in accordance with revised plans by Ames Associates dated December 27, 2011 and received by the Department of Environmental Services ("DES") on December 28, 2011.
2. No more than 22.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. The native vegetation proposed to be planted within the waterfront buffer shall be monitored and, if necessary, replaced to ensure a 100% survival rate.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to the 1,535 sq of unaltered area that exists between 50 feet and 150 feet from the reference line as delineated on plans received by DES.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
11. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
12. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
13. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
14. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than the existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 760 sq ft.
4. The applicant has proposed to install stormwater controls consisting of drip-line trenches below the eaves of the proposed dwelling and garage.
5. The applicant has proposed to install a pervious driveway that will be capable of infiltrating on-site stormwater.
6. The applicant has proposed to enhance the waterfront buffer by planting significant levels of native vegetation.
7. The applicant has proposed to install stormwater controls, reduce the total amount of impervious surface coverage and enhance the waterfront buffer and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

2011-03063 **DAVID E PROCTOR TRUST ET AL**
WEARE Horace Lake

Requested Action:

Impact 3,921 sq ft for the purpose of installing a new foundation.

APPROVE PERMIT:

Impact 3,921 sq ft for the purpose of installing a new foundation.

With Conditions:

1. All work shall be in accordance with revised plans by Meridian Land Services, Inc. dated January 4, 2012 and received by the Department of Environmental Services ("DES") on January 4, 2012.
2. No more than 18.9% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 1,523 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

2011-03196 PETRO, JOSEPH/LISA
WAKEFIELD Pinr River Pond

Requested Action:

Impact 5,596 sq ft for the purpose of constructing a new garage, driveway and installing stormwater controls.

APPROVE PERMIT:

Impact 5,596 sq ft for the purpose of constructing a new garage, driveway and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Services Corp, dated December 21, 2011 and received by the Department of Environmental Services ("DES") on February 23, 2011 and revised stormwater management plans received by DES on January 10, 2012.
2. No more than 28.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), at least 2,741 sq ft of unaltered area between 50 ft and 150 ft of the reference line, as delineated on plans received by DES must remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2012-00070 NASWA MOTOR INN INC
LACONIA Lake Winnepesaukee

Requested Action:

Impact 2,335 sq ft in order to modify and maintain private and municipal drainage systems.

APPROVE PERMIT:

Impact 2,335 sq ft in order to modify and maintain private and municipal drainage systems.

With Conditions:

1. All work shall be in accordance with plans by Department of Public Works dated February 17, 2009 and received by the NH Department of Environmental Services (DES) on January 11, 2012.
2. No more than 55.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.